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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,900	12/21/2001	Thomas Ronald Taylor	87355.3060	5307

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EXAMINER

NGUYEN, SANG H

ART UNIT

PAPER NUMBER

2877

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/023,900

Applicant(s)

TAYLOR ET AL.

Examiner

Sang H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the “**an object**” in claims 8, 10, and 14-15 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5-6, and 8-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Tamburrino (U.S. Patent No. 5,202,758).

Regarding claim 1; Tamburrino discloses a bore-scope apparatus (10 of figure 1) comprising: a bore scope is considered to be a probe or insertion tube (14 of figure 2) connected to a first end (figures 1-2) of a fiber optic cable (31,32 of figure 3 and col.3 lines 13-16 and col.4 lines 24-33), an eye piece is considered to be a video retrieval device can be a camera (33,36 of figure 3) connected to a second end (figure 1) of the fiber optic cable (31,32 of figure 1 and col.3

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lines 13-16 and col.4 lines 24-33), and a source of ultraviolet light (22 of figures 1 and 3) provide at the second end (figures 1 and 3) of the fiber optic cable (31,32 of figure 3 and col.3 lines 13-16 and col.4 lines 24-33), wherein the fiber optic cable is encased in a flexible arm (figures 1-2 and col.1 lines 30-31). See figures 1-3.

Regarding claims 8 and 15; Tamburrino discloses a bore-scope apparatus and a method of leak detection, comprising: means for (22 of figure 1) illuminating an object (47 of figure 3) with an ultraviolet light and means for (33 of figure 3) viewing the object (47 of figure 4) with a bore scope considered to be a probe or an insertion tube (14 of figures 1-2) through a fiber optic cable (31,32 of figure 3 and col.3 lines 13-16 and col.4 lines 24-33) connected at a first end to the bore scope and at a second end to an eye piece (33 of figure 3). See figures 1-3.

Regarding claims 2, 10, 14, and 17; Tamburrino discloses a white light source (37 of figure 3) provide at the second end of the fiber optic (31,32 of figure 3).

Regarding claims 3, 6, 11, and 18; Tamburrino discloses the eyepiece can be focused (see figure 3).

Regarding claims 5, 12, and 19; Tamburrino discloses the ultraviolet light source is a blue LED (col.3 line 15).

Regarding claims 9, 13, 16, and 20; Tamburrino discloses the fiber optic cable is encased in a flexible housing (23 of figure 1).

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***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Tamburrino (U.S. Patent No. 5,202,758) in view of Lobb et al (U.S. Patent No. 5,045,936).

Regarding claims 4 and 7; Tamburrino is shown to teach all of features in claimed invention except for a switch for turning the ultraviolet light source on and off. However, Lobb et al teaches that it is well known in the art to provide a switch for turning the ultraviolet light source on and off (figures 1-9). It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide bore-scope apparatus and method of Tamburrino with a switch for turning the ultraviolet light source on and off as shown in the device of Lobb et al for the purpose of adjusting light beam onto the object until a clear image of the object.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sakamoto et al (4,991,957) discloses borescope apparatus; Morito et al (5,986,752) discloses bore scope; Miyazaki et al (5,313,936) discloses industrial endoscope/borescope

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apparatus; Smart (5,449,919) discloses borescope drill pipe and light guide sleeve; and Nudelman et al (5,200,838) discloses lateral effect imaging system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Sang Nguyen whose telephone number (703)308-6426. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Frank Font, can be reached on (703)308-4881. The fax phone number for the organization where this application or proceeding is assigned is (703)308-7722 or 7724.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

SN

Nguyen/ sn

December 10, 2002

  
Frank G. Font  
Supervisory Patent Examiner  
Art Unit 2877  
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